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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 SILLAGE, LLC, a California Limited
11 Liability Company,

12 Plaintiff,

13 vs.

14 HISTOIRES DE PARFUMS LLC d/b/a
15 ALICE & PETER, a Delaware Limited
16 Liability Company; SCENT-SATION LA, a
17 California Limited Liability Company; and
18 P.E., INC. d/b/a PERFUME EMPORIUM, a
19 California corporation,

20 Defendants.

Case No. SACV 14-00172-CAS
(RNBx)

Hon. Christina A. Snyder

**[PROPOSED] STIPULATED
PERMANENT INJUNCTION
AND ORDER OF DISMISSAL**

1 Pursuant to the stipulation between Plaintiff Sillage, LLC (“Sillage”) and
2 Defendant Moshe, Inc., erroneously sued as Scent-Sation LA (“Moshe”; Sillage
3 and Moshe shall be collectively referred to as the “Parties”), the Court ORDERS as
4 follows:

5 1. The Court has jurisdiction over the Parties and the subject matter at
6 issue in this action.

7 2. Sillage brought claims for patent infringement under 35 U.S.C. § 271,
8 trademark infringement under 15 U.S.C. § 1114, trade dress infringement under
9 15 U.S.C. § 1125(a), and unfair competition under Cal. Bus. & Prof. Code §
10 17200, alleging that Moshe’s marketing and sale of certain Alice & Peter fragrance
11 products caused Sillage harm.

12 3. Entry of a permanent injunction will achieve the purposes of the
13 statutes giving rise to Sillage’s claims, and will resolve the Parties’ dispute.

14 4. **Permanent Injunction.** Pursuant to Federal Rule of Civil Procedure
15 65(d), Moshe, along with its directors, principals, officers, agents, servants,
16 employees, representatives, successors and assigns, and all those persons or entities
17 acting in concert or participation with them, shall be and hereby are
18 **PERMANENTLY ENJOINED** and restrained from making, using, offering to
19 sell, selling, importing, marketing, or promoting the accused Alice & Peter
20 fragrance products, which incorporate the issued patents and which are named as
21 the *Fancy Choco*, *Showy Toffee*, *Cheery Cherry*, *Wicked Berry* and *Bloody Orange*
22 fragrance products.

23 5. Sillage and Moshe waive any right to appeal the entry of this
24 Stipulated Permanent Injunction.

25 6. Pursuant to Federal Rule of Civil Procedure 41(a)(2), Sillage’s claims
26 against Moshe are hereby dismissed with prejudice and without costs

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1 to either party. The Court shall retain jurisdiction to enforce this Stipulated
2 Permanent Injunction and Order of Dismissal.

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4 **IT IS SO ORDERED.**

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6 DATED: February 17, 2015

Christina A. Snyder

7 Hon. Christina A. Snyder
8 United States District Judge
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